

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this _____day of December, 1983, that the Petition for Special Exception for an art studio in a D.R.Zone, is hereby GRANTED, from and after the date of this Order, subject, however, to the following:

- 1. The art studio shall not be open to the public, and shall be limited to the use of the residents for the creation of drawings, paintings, portraits, art restorations, sculptures, prints and other closely related visual fine arts.
- 2. Framing shall be limited to art created by and/or belonging to the petitiioners.
- 3. Compliance with the requirements of Section 1B01.1C.9.B. of the Baltimore County Zoning Regulations.

either be removed from the property or properly backfilled.

will not invertere with either of the utilities.

() Soil percolation tests have been conducted. The results are valid until

well yield test

() No health hazards are anticipated.

4. The special exception shall be limited to a period of 8 years from the date of this Order.

() Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and Revised plans must be submitted prior to approval of the percolation () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
 () In accordance with Section 13-117 of the Baltimore County Code, the water is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit () All roads and parking areas should be surfaced with a dustless, bonding (X) Others This site is served by A well and private be functioning properly. The proposed out studio

> Ian J. Forrest./Director BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts:

- 1. The herein petition was filed to establish the nonconforming use of the property for an art studio in a D.R. Zone.
- 2. Testimony presented by the petitioners indicated that in 1975 Mrs. Trout began designing frames for clients and selling those frames as well as her own original art work to customers in her home. An art studio was added to the residence in 1977, and the building permit issued, No. 94173, Petitioner's Exhibit 1, specified "for private use of owners". Currently, the petiticrer spends 25-30 hours per week in the studio and 75-80% of this time is devoted to working with clients regarding frame design and framing. The petitioner also does painting, portraits, restoration, sculpture, and print making. Two part-time employees execute the framing. Only 5% of the framing is for the petitioner's own art work. A major portion of the studio and 10% of the basement is used for framing and framing supplies.
- 3. Two neighbors, testifying on behalf of the petitioners, stated that the current use is not objectionable. A professional framer and an illustrator and art history teacher testified to the petitioner's artistic judgment and technica' knowledge.
- 4. Comments submitted by the Department of parmits and Licenses, dated September 21, 1983 states:
 - "It is assumed the studio does not grant access to the public, if it does a Change of Occupancy, a fire separation from the dwelling, separate exits etc., etc., would be required."

5. Stanley Katzenstein, protestant and owner of the Ludwig Katzenstein custom frame shop, testified and presented a copy of Who's Who in Picture Framing and Fine Art, 1983-84, Protestants' Exhibit 1, published by the Professional Picture Framers Association: "...as a service to members ... not available to nonmembers of PPFA." Page 86 lists the following:

THE MITRE BOX

Jean E. Trout 1323 Walnut Hill Ln. Baltimore, MD 21204 (301) 825-6461 FR

FR is identified as framing. Notations used in other entries include: GA - gallery, AM - art materials, PH - photography,

6. Websters' New Collegiate Dictionary (1953) defines a studio as "The working room of a painter, sculptor, etc." and the American Heritage Dictionary of the English Language (1979) defines fine art as "Art produced or intended primarily for beauty alone rather than utility. Any such arts including sculpture, painting, drawing, and often architecture, literature, drama, music, and the dance ..."

Without reviewing the testimony further but based upon all the evidence presented,

it is the opinion of the Deputy Zoning Commissioner that the use of the property for frame design for clients and customers, since 1975 in the home and since 1977 in the addition, is not a valid nonconforming use because, whether pre-manufactured or custom designed, whether poor or museum quality, whether based on unskilled labor or artistic

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3000

Special Hearing to approve a non-conforming use for an art studio in a D.R. zone. Special Exception for an art studio

September 21, 1983

Acres: 0.615 in a D.R. zone.

- XA. All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- XB. A building/and other miscellameous permits shall be required before beginning
- XC. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Plans are required regardless of size when the addition is more than one story.
 D. Commarcial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. in exterior wall erected within 6'0 of an adjacent lot line shall be of one hot fire resistive construction, no openings permitted within 3'-0 of lot lines. A firewall is required if construction is on the lot line, See Table 401, line 2, Section 1407 and Table 1402.
- F. Requested variance conflicts with the Baltimore County Building Code,
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
- XI. Comments: It is assumed the studio does not grant access to the public, if it does a Change of Occupancy, a fire separation from the dwelling, separate exits etc., etc., would be required.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Flaming and Zoning and are not intended to be construed as the full extent of any permit.

If desired, additional information may be obtained by visiting Room \$122 (Flams Review) at 111 West Chesspeaks Ave., 21204

DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550

STEPHEN E. COLLINS DIRECTOR

September 1, 1983

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Item No. 56, 57, 59, 60, and 62 Property Owner: Location: Existing Zoning: Proposed Zoning:

District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 56, 57, 59, 60, and 62.

MSF/ccm

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Date: August 29, 1983

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: August 30, 1983

RE: Item No: 55, 56, 57, 58, 59, 60, 61 62 63
Property Owner: Location: Present Zoning:

District: No. Acres:

Dear Mr. Hammond:

The above mentioned items have no adverse effect on student population.

Department of Planning

Oct 5,1932

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 2120.

COMMENTS ARE AS FOLLOWS:

Zoning Item # 62, Zoning Advisory Committee Meeting of Aug. 30, 1933

Property Owner: Jean E. + Albert H. Trout

Location: SE/Cor. Walnut Hill Lane District 9

Water Supply _____ Sewage Disposal _____ Civate

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

() Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain require-

ments for such installation/s before work begins. () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts

into the atmosphere. () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER PETITION FOR SPECIAL HEARING SE Corner Walnut Hill and Crossmorr OF BALTIMORE COUNTY

Lanes, 9th District

: Case No. 84-122-XSPH ALBERT H. TROUT, et ux, Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County

Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor,

and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III Rm. 223, Court House

People's Counsel for Baltimore County Towson, Maryland 21204 494-2138

I HEREBY CERTIFY that on this 24th day of October, 1983, a copy of the foregoing Order was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204,

Attorney for Petitioners.

BEFORE IN THE MATTER OF THE APPLICATION OF COUNTY BOARD OF APPEALS ALBERT H. TROUT, ET UX, FOR SPECIAL EXCEPTION AND SPECIAL HEARING ON PROPERTY LOCATED AT THE BALTIMORE COUNTY SOUTHEAST CORNER WALNUT HILL AND CROSSMORR LANES No. 84-122-XSPi1 9th DISTRICT ORDER OF DISMISSAL

Petition of Albert H. Trout, et ux, for special exception and special hearing, on property located at the southeast corner Walnut Hill and Crossmorr Lanes,

in the 9th District of Baltimore County. WHEREAS, the Board of Appeals is in receipt of an Order of

Withdrawal of Petition filed December 7, 1984 (a copy of which Order is attached hereto and made a part hereof) from the attorney representing the Petitioner in the above entitled matter, and

WHEREAS, the said attorney for the said Petitioner requests that the petition filed on behalf of said Petitioner be withdrawn and dismissed as of

December 7, 1984.

IT IS HEREBY ORDERED this 11th day of December, 1984, that said petition be and the same is DISMISSED.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Posted for: Appeal

Petitioner: Assurt 14 Front et my

Location of property: SE/Con Walnut Itill and Consumor Janus.

Location of Signs: SF/Course of Walnut Hill and Consmos Lanes

1. D. arata Date of return Feb 3-84

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Layrence E Schmidt, Acting Chairman Muum

84-122-X5PH

Date of Posting January 17-84

IN THE MATTER OF THE APPLICATION OF ALBERT H. TROUT, ET UX. FOR SPECIAL EXCEPTION AND SPECIAL HEARING On Property located at the southeast corner of Walnut Hill and Crossmorr Lanes

9th Election District

WITHDRAW OF PETITION AND MOTION TO DISMISS

BEFORE THE

COUNTY BOARD

OF APPEALS OF

BALTIMORE COUNTY

Case No. 84-122-XSPH

Albert H. Trout, et ux., Petitioner, by John B. Howard and Cook, Howard, Downes & Tracy, their attorneys, hereby withdraws the Petitions for Special Exception and Special Hearing, and therefore moves that this case be dismissed.

> Ihm B Howard (44) John B. Howard Cook, Howard, Downes & Tracy 210 Allegheny Avenue P.O. Box 5517 Towson, Maryland 21204 (301) 823-4111 Attorney for Petitioner 🛱

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Malcolm F. Spicer, Jr., County Attorney

Tom Bollinger, Asst. County Attorney Date March 2, 1984....

FROM Peter Max Zimmerman, Deputy People's Counsel

SUBJECT Albert H. Trout, et ux, Petitioners - Zoning Case #84-122-XSPH

The above-entitled case has been set for hearing before the County Board of Appeals on Thursday, May 3, 1984, at 10 a.m. Since the case involves a petition for special hearing for nonconforming use (not within our jurisdiction), it is felt that your office should also be represented at the Board hearing. A copy of the Board's notice of hearing is attached

Deputy People's Counsel

Enclosure

But 61-4000

cc: County Board of Appeals

PROTESTANTIS EXHIBIT 1 To LARGE TO BE MICROFILMED. IF NECD, CAN BE-FOUND IN THE CLOSET IN 2.C. OFFICE

CASE # 84-122 XSPH

November 16, 1984

County Board of Appeals of Baltimore County

Towson, Maryland 21204 (301) 494-3180

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-ING DATE IN ACCORDANCE WITH RULE 2(a), COUNTY COUNCIL BILL #59-79

CASE NO. 84-122-XSPH

ALBERT H. TROUT, ET UX

Room 200 Court House (Hearing Room #218)

SE/corner Walnut Hill and Crossmorr Lanes

9th District

SE-Art studio in DR zone SPH-Nonconforming use

12/16/83--Special exception Granted w/restrictions Property does not enjoy a nonconforming use status as an art studio in a DR zone

ASSIGNED FOR:

cc: John B. Howard, Esq.

TUESDAY, JANUARY 29, 1985, at 10 a.m. Counsel for petitioners

Albert H. Trout, et ux Petitioners J. Richard O'Connell Protestant

Stanley Katzenstein Herbert Bangs, et ux

Phyllis C. Friedman

People's Counsel Law Office Thomas Bollinger, Esq.

N. E. Gerber J. Hoswell

Jean Jung Arnold Jablon

J. E. Dyer

LAW OFFICES COOK, HOWARD, DOWNES & TRACY 210 ALLEGHENY AVENUE P. O. BOX \$517

TOWSON, MARYLAND 21204

DAVID D. DOWNES DANIEL O'C. TRACY, JR JOHN H, ZINK, III JOSEPH C. WICH, JR. HENRY B. PECK, JR. HERBERT R. O'CONOR, III THOMAS L. HUDSON FRANK A. LAFALCE, JR C. CAREY DEELEY, JR

JOHN B. HOWARD

M. KING HILL, III

ROBERT A. HOFFMAN

DEBORAH C. ZIMMERMAN

January 11, 1984

Hand-Delivered

Arnold Jablon, Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Appeal to the County Board of Appeals -

Zoning Case No. 84-122-XSPH Albert H. Trout, et ux., Petitioner

JAN 11

JAMES D. C. DOWNES

AREA CODE 30!

Dear Mr. Commissioner:

On December 16, 1983, the Deputy Zoning Commissioner for Baltimore County passed an Order in the Petitions for Special Exception and Special Hearing for property located at the south-east corner of Walnut Hill and Crossmorr Lanes - 9th Election District, Case No. 84-122-XSPH (Item No. 62).

Please note the Appeal to the County Board of Appeals from the above-referenced Order by the Following persons:

1. Jean Ellison Trout, 1323 Walnut Hill Lane Ruxton, Maryland 21204

2. Albert Henry Trout, 1323 Walnut Hill Lane

Ruxton, Maryland 21204

Enclosed is a check for \$180.00 made payable to Baltimore County, Maryland to cover the fees for this Appeal.

Thank you for your attention to this matter.

Yours truly, John B. Horard John B. Howard

JBH:rm

494-3180

County Bourd of Appeals Room 200, Court House Towson, Maryland 21204

June Holmen, Secy.

Hearing Room #218

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL \$59-79

CASE NO. 84-122-XSPH

ALBERT H. TROUT, ET UX

FOR SE - ART STUDIO IN A D.R. ZONE FOR SPH - ART STUDIO AS NONCONFORMING USE SE CORNER WALNUT HILL and CROSSMORR LANES

9th DISTRICT

12/16/83 - D.Z.C. GRANTED SE W/RESTRICTIONS, NOT A NONCONFORMING USE

ASSIGNED FOR:

THURSDAY, MAY 3, 1984 at 10 a.m. Counsel for Petitioners cc: John B. Howard, Esq.

Albert H. Trout, et ux J. Richard O'Connell Stanley Katzenstein

Petitioners Protestant

Herbert Bangs, et ux Phyllis C. Friedman

People's Counsel

N. E. Gerber J. G. Hoswell A. Jablon

Jean M. H. Jung J. E. Dyer

Thomas J. Bollinger, Esq. Office of Law

Edith T. Eisenhart, Adm. Secretary

John B. Howard, Esq.

3/1/84 - NOTIFIED OF APPEAL HEARING SCHEDULED FOR THURSDAY, MAY 3, 1984 at 10 a.m.

Albert H. Trout J. Richard O'Connell Stanley Katzenstein Herbert Bangs

Phyllis C. Friedman Thomas J. Bollinger, Esq.

5/3/84 - Per K.S.F. - Acting Chairman - Case continued in open hearing -

Counsel for the property owner will provide the Board with a copy of a

lease entered into between the property owner and the third party. That lease is to require the property owner to carry on all business functions that are possibly being carried on on the subject property at another location. Assuming that the Board obtains such a lease and that the subject property owner occupies those premises prior to September 1, 1984, this matter will become moot and a request for dismissal will be filed by counsel for the Petitioner. If that has not been accomplished, then the Board will reschedule this matter for hearing.

11/16/84 - Above notified of hearing set for Tues. Jan. 29, '85, at 10 a.m.



County Board of Appeals of Baltimore County Room 200 Court House Towson, Maryland 21204 (301) 494-3180

December 11, 1984

John B. Howard, Esq. 210 Allegheny Ave. P. O. Box 5517 Towson, Md. 21204

Dear Mr. Howard:

Re: Case No. 84-122-XSPH Albert H. Trout, et ux

Enclosed herewith is a copy of the Order of Dismissal passed today by the Board of Appeals in the above entitled case.

Very truly yours,

cc: Albert H. Trout, et ux J. Richard O'Connell Stanley Katzenstein Herbert Bangs, et ux Phyllis C. Friedman Thomas J. Bollinger, Esq. Norman E. Gerber James Hoswell Jean Jung James E. Dyer Arnold Jablon



ARNOLD JABLON ZONING COMMISSIONER

December 16, 1983

John B. Howard, Esquire 210 Allegheny Avenue P.O. Box 5517 Towson, Maryland 21204

> RE: Petition for Special Exception and Spec 1 Hearing SE/corne. f Walnut Hill and Crossmorr Lanes - 9th Election District Albert H. Trout, et ux - Petitioners NO. 84-122-XSPH (Item No. 62)

Dear Mr. Howard:

I have this date passed my Order in the above captioned matter in accordance with the attached.

> Very truly yours, Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. J. Richard O'Connell 1461 Walnut Hill Lane Towson, Maryland 21204

> Mr. Stanley Katzenstein 2401 Briar Wood Road Baltimore, Maryland 21209

John W. Hessian, III, Esquire People's Counsel

LAW OFFICES

COOK, HOWARD, DOWNES & TRACY 210 ALLEGHENY AVENUE

P. O. BOX 5517 JOHN B. HOWARD DAVID D. DOWNES TOWSON, MARYLAND 21204 DANIEL O'C. TRACY, JR JOHN H. ZINK, III JOSEPH C. WICH, JR HENRY B. PECK, JR.

January 11, 1984

DEBORAH C. ZIMMERMAN Hand-Delivered

THOMAS L. HUESON

FRANK A. LAFALCE, JR. C. CAREY DEELEY, JR. M. KING HILL, II

ROBERT A. HOFFMAN

Arnold Jablon, Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Appeal to the County Board of Appeals -Zoning Case No. 84-122-XSPH Albert H. Trout, et ux., Petitioner

Dear Mr. Commissioner:

On December 16, 1983, the Deputy Zoning Commissioner for Baltimore County passed an Order in the Petitions for Special Exception and Special Hearing for property located at the southeast corner of Walnut Hill and Crossmorr Lanes - 9th Election District, Case No. 84-122-XSPH (Item No. 62).

Please note the Appeal to the County Board of Appeals from the above-referenced Order by the Following persons:

Jean Ellison Trout, 1323 Walnut Hill Lane Ruxton, Maryland 21204

Albert Henry Trout, 1323 Walnut Hill Lane Ruxton, Maryland 21204

Enclosed is a check for \$180.00 made payable to Baltimore County, Maryland to cover the fees for this Appeal.

Thank you for your attention to this matter. Yours truly, John B. Horard

John B. Howard



ARNOLD JABLON ZONING COMMISSIONER

JAMES D. C. DOWNES

(1906-1979)

AREA CODE 301

January 18, 1984

Mr. J. Richard O'Connell 1401 Walnut Hill Lane Towson, Maryland 21204

> Re: Petitions for Special Exception and Special Hearing SE/corner of Walnut Hill and Crossmorr

Albert H. Trout, et ux - Petitioners Case No. 84-122-XSPH

Dear Mr. O'Connell:

Please be advised that an appeal has been filed by John B. Howard, attorney for the petitioners, from the decision rendered by the Deputy Zoning Commissioner of Baltimore County, in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

Zoning Commissioner

cc: Stanley Katzenstein 2401 Briar Wood Road Baltimore, Maryland 21209

> Herbert Bangs, et ux 7830 Chelsea Street Ruxton, Maryland 21204

Phyllis C. Friedman, Esquire People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon Zoning Commissioner Norman E. Gerber, Lirector

Office of Planning and Zoning Albert H. Trout, et.ux 84-122-XSpH

There are no comprehensive planning factors requiring comment on this

Director of Planning and Zoning

October 24, 1983

NEG:JGH:cav

BALTIMORE COUNTY, MARYLAND OFFICE SINANCE - REVENUE DIVISION TO MISCELLANEOUS CASH RECEIPT No. 124092 FROM John B. Howard, Esquire (Albert H. Trout, et ax) 007....1800016 51874

October 1 1983

John B. Howard, Esquire 210 Allegheny Avenue P. O. Box 5517 Towson, Maryland 21204

> NOTICE OF HEARING Re: Petitions for Special Exception & Special Hearing SE/corner of Walnut Hill and Crossmorr Lanes Albert H. Trout, et ux - Petitioners Case No. 84-122-XSPH

TIME: 9:45 A.M.

DATE: Tuesday, November 8, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

No. 124063

BALTIMUNE LUCINY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

FROM: Cook, Howard, Downes & Tracy Filing Fee on Albert H. Trout, et ux 6 012 **** 1550010 5062A

6 038 *** ** 350010 \$194A VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

84-121-XSPH Posted for: Aperial Collection and Africial Hearing

Petitioner: Albert H. Street et us

Location of property. SELOW

Location of property: SE/ Corner of Walnut Hill and Organion Location of Signs: SE Conner of Walnut Hill and Consumor

CERT ICATE OF PUBLICATION

PETITION FOR SPECIAL EXCEPTION AND SPECIAL HEARING.
HOUSE BUSINESS OF SPECIAL EXCEPTION AND SPECIAL HEARING.
LOCATION: Bouthamat corner of Walnut Hill and Crossmer Lance
DATE & THME: Turnsting, November \$, 1983 at 9-45 A.M.
PUBLIC HEARING: Room 108, County Office
Busining, 111 W. Canaspeaks Avenue,
Townon, Ma. yland
The Zoning Commissioner of Baltimore County, by suthority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

tions of Baltimore County, mill hold a public hearing:
Petison for Special Exception for an art studie in a D.R. zone pursuant to Section 1801 C.98 of the Baltimore County Zoning Regulations and Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the zoning Commissioner and/or Deputy Zoning Commissioner and studies in a D.R. zone as a valid non-conforming use.

All that parcel of tand in the Aliath Dietrics of Baltimore County
Beginning for the same all the intersections of the contentine of Coopenor Lame and symbol the contentine of Coopenor Lame and binding on the outlines of the land of the petitioners hearin, the six following courses and distances via: Bouth 10 degrees 40 minutes West 68.35 feet, North 10 degrees 41 minutes West 18 feet, Bouth 10 degrees 41 minutes West 37 lest and North 79 degrees 41 minutes West 37 lest and North 79 degrees 41 minutes West 37 lest and North 79 degrees 41 minutes West 37 lest and North 79 degrees 41 minutes West 37 lest and North 79 degrees 41 minutes West 37 lest and North 79 degrees 41 minutes West 37 lest and North 79 degrees 41 minutes West 37 lest of the place of beginning.

Containing 0.615 of an Acne of land more or less.

Being the property of Albert H. Trout, et us, as shown on plat plan filed with the Zoning

Department, in the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertaint any request, for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hapring set above or made at the hearing.

BY ORDER OF ARNOLD JABLO

THIS IS TO CERTIFY, that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for ____ successive weeks,

the first publication appearing on the 1915 day of Oct. 1983 THE TOWSON TIMES

Cost of Advertisement, \$ 35.52

CORENG: Petition for Special Excoption and Special Reging
LOCATION: Southeast sorner of
Walnut Hill and Crossmer Lance
DATE & TIME: Theoday, November 2, 1983 at 8:46 A.M.
PUBLIC READYNORM

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 20 19 83 THIS IS TO CERTIFY, that the annexed advertisement was and published in Towson, Baltimore County, Md., acceptable of one time accounts were before the 8th day of _____Nowmber__, 19_63_, the whost publication

Cost of Advertisement, \$ 29.75



ARNOLD JABLON ZONING COMMISSIONER

November 1, 1983

John B. Howard, Esquire 210 Allegheny Avenue P. O. Box 5517 Towson, Maryland 21204

> Re: Petitions for Special Exception & Special Hearing SE/cor. Walnut Hill & Crossmorr Lanes Albert H. Trout. et ux - Petitioners Case No. 84-122-XSPH

Dear Mr. Howard:

This is to advise you that \$75.27 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Zoning Commissioner BALTIMORE COUNTY, MARYLAND No. 122968 OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT DATE 11/8/83

AMOUNT \$75.27 FROM: Cook, Howard, Downes & Tracy Advertising & Posting Case #84-122-XSPH (Albert H. Trout, et ux)

8 066******752710 1098A

CARL L GERNOLD PHILP K. CROSS JOHN F. EYEEL WILLIAM S. ULRICH

GERHOLD, CROSS & ETZEL Registered Professional Land Surveyors 412 DELAWARE AVENUE TOWSON, MARYLAND 21204

823-4470

ZONING:

LOCATION:

DATE & TIME:

August 11, 1983

Zoning Description

All that piece or parcel of land situate, lying and being in the Ninth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at the intersection of the centerline of Walnut Hill Lane with the centerline of Crossmorr Lane and running Walnut Hill "ane with the centerline of Crossmorr Lane and running thence and binding in the center of Walnut Hill Lane, South 78 degrees Ol minute East 237.5 feet, thence leaving said lane and binding on the outlines of the land of the petitioners herein, the six following courses and distances viz: South 10 degrees 49 minutes West 101.16 feet, North 79 degrees 11 minutes West 68.35 feet, North 10 degrees 49 minutes East 20 feet, North 79 degrees 11 minutes West 18 feet, South 10 degrees 49 minutes West 37 feet and North 79 degrees 11 minutes West 151.10 feet to the centerline of Crossmorr Lane and thence binding on the centerline of Crossmorr Lane and thence binding on the centerline of Crossmorr Lane, North 10 degrees 49 minutes East 123 feet to the place of beginning.

Containing 0.615 of an Acre of land more or less.



Being the property of Albert H. Trout, et ux, as shown on plat plan filed with the Zoning Department.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however. entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

PETITION FOR SPECIAL EXCEPTION AND SPECIAL HEARING

Petition for Special Exception and Special Hearing

Southeast corner of Walnut Hill and Crossmorr Lanes

9th Election District

Tuesday, November 8, 1983 at 9:45 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake

The Zoning Commissi per of Baltimore County, by authority of the Zoning Act

Petition for Special Exception for an art studio in a D.R. zone

Baltimore County Zoning Regulations, to determine whether or

not the Zoning Commissioner and/or Deputy Zoning Commissioner

should approve use of the subject property for an art studio in a

Regulations and Special Hearing under Section 500.7 of the

pursuant to Section 1801. I. C. 9B of the Baltimore County Zoning

Avenue, Towson, Maryland

and Regulations of Baltimore County, will hold a public hearing:

D.R. zone as a valid nonconforming use

All that parcel of land in the Ninth District of Baltimore County

7830 Chelsea Street Ruxton, Maryland 21204 November 7, 1983

Mrs. Jean Jung, Deputy Zoning Commissioner Baltimore County Office Building Towson, Maryland 21204

Reference: Case No. 84-122KSPH
Set for November 8, 1983 at 9:45 am Albert End Jean Trout , stag

Dear Mrs. Jung,

My wife and I live at 7830 Chelsea Street in Ruxton. and have lived there together for three years. I, myself, have lived there for thirty years.

While our mailbox is on Chelsea Street, our driveway and only legal access is on Crossmoor Lane, off of Walnut Hill Lane. Thus we pass the Trout's home, at Walnut Hill and Crossmoor Lanes everyday and we use Crossmoor Lane in common with the Trouts and their visitors.

Walnut Hill Lane is a narrow winding road. For a great part of its length it is only twelve feet and one lane wide. Cars have to pull into driveways, or wait until other cars have passed in order to proceed. Over the years the traffic has become progressively heavier. Anything that increases traffic on Walnut Hill Lane creates a problem.

We do not object to a studio variance for the Trouts but we strongly feel that any order granting such a variance should exclude any commercial traffic generating use of the property and should specifically exclude the use of that studio as a framing shop as it has been used in the past. (See pending Zoning violation #83-680.)

ALBERT H. TROUT JEAN E. TROUT 1323 Walnut Hill Lane Ruxton, Maryland 21204

November 8, 1983

Mr. J. Richard O'Connell 1401 Walnut Hill Lane Ruxton, Maryland 21204

Re: Albert H. Trout, et ux - Petitioner Special Hearing and Special Exception Item No. 62 - Case No. 84-122-XSPH

Dear Mr. O'Connell:

J. Richard O'Connell and Zoe C. O'Connell and the Petitioners, Albert H. Trout and Jean E. Trout have entered into a Stipulation where, in the event the Zoning Commissioner for Baltimore County grants a Special Exception for an art studio in a D.R. zone located on the Trout's property, it will be requested that the Zoning Commissioner limit the Special Exception to a period of eight (8) years from the date of the issuance of the order.

There exists the possibility, although remote, that the Commissioner will not include the eight (8) year limitation in his/her Order as the parties have agreed. In such an event, J. Richard C'Connell, having testified on behalf of the Trout's requested Special Exception, and in consideration of the mutual agreements herein contained and for other good and valuable considerations, the receipt and sufficiency which is hereby mutually acknowledged, the parties do hereby agree to either (a) request an amendment by the Zoning Commissioner of his/her Order, (b) to include the eight (8) year limitation, or in the alternative enter into a consent order to be passed by the Baltimore County Board of Appeals on appeal, to amend the Order of the Zoning Commissioner of Baltimore County to include the eight (8) year limitation.

FETTIONER'S
EXHIBIT 3

Mr. J. Richard O'Connell November 8, 1983

In the event the Zoning Commissioner for Baltimore County determines that the art studio at 1323 Walnut Hill Lane, Ruxton, Maryland, is a valid nonconforming use in a D.R. zone, it is further agreed by the parties that the Trouts will limit the size of the art studio to its present dimensions of 24 feet by 24 feet or 576 square feet.

It the above agreement is satisfactory, please affix your signature to indicate its acceptance below.

Very truly yours.

IN THE MATTER OF

* BEFORE THE

* ZONING COMMISSIONER ALBERT H. TROUI, et ux. * FOR BALTIMORE COUNTY SPECIAL HEARING AND

* Item No. 62 SPECIAL EXCEPTION Case No. 84-122-XSPH

* * * * * *

STIPULATION

The parties to this Stipulation are Albert H. Trout and Jean E. Trout, his wife, Petitioners, who reside at 1323 Walnut Hill Lane, Ruxton, Maryland 21204 and J. Richard O'Connell and Zoe C. O'Connell, his wife, who reside at 1401 Walnut Hill Lane, Ruxton, Maryland 21204.

The parties do hereby agree and stipulate that in the event the Zoning Commissioner for Baltimore County grants a Special Exception for an art studio in a D.R. zone at 1323 Walnut Hill Lane, Ruxton, Maryland, they will request that the order by the Zoning Commissioner limit the said Special Exception to a period of eight (8) years beginning the date of the issuance of the Order and that language in accordance with this request appear in the Order.

PETITIONER'S EXHIBIT 2

THE DEDUCT MICT DE DOCUMENT
NOTE A SEPARATE PERMIT IS REQUIRED FOR ALL ELECTRICAL & PLUMBING WORK WHICH MUST BE
COMPTAINT PLOY INCOMPLETE AN ELECTRICIAN OR PLUMBER LICENSED IN BALTIMORE COUNTY.
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BUILDING ADDRESS 1323 WALNUT HILL LANE
DATE ISSUED 0/25/11
94173
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ALL CALLS REQUESTING INSPECTIONS MUST BE MADE BETWEEN 8:00 A.M. AND 4:00 P.M. GIVING THE PERMIT NUMBER AND CONTROL NUMBER. 24 HOUR NOTICE REQUIRED ON ALL INSPECTIONS EXCEPT OCCUPANCIES WHICH REQUIRE 48 HOUR NOTICE. PHONE 49413953 The first of these impactions will be called for as soon as the trenches for footings are completed.

Also a slab inspection will be required before pouring slab.

The second inspection shall be called for when the foundation has been wasterproofed before backfilling. The third inspection shall be called for when the structural members are in place, but before covering more with both or places, or other covering or installing of insulation.

First's impaction shall be called for before structure a occupied.

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